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ABSTRACT

The speaker begins by acknowledging that the first reality is that the bargaining process requires sophistication and skill regardless of the size of the school district. Preparation for negotiations in the speaker's district is centered around a five-member negotiation team that consists of one negotiator and four principals. The speaker outlines the responsibilities of the board of education, the superintendent, the assistant superintendents, and the principals in the negotiation process. He concludes that a clear chain of command must be established and communication among the administrators must be continuous if all involved are to understand the process. (Author/IRT)

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INVOLVING STAFF PERSONNEL IN PREPARING FOR NEGOTIATIONS

PRESENTED AT:

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BY:

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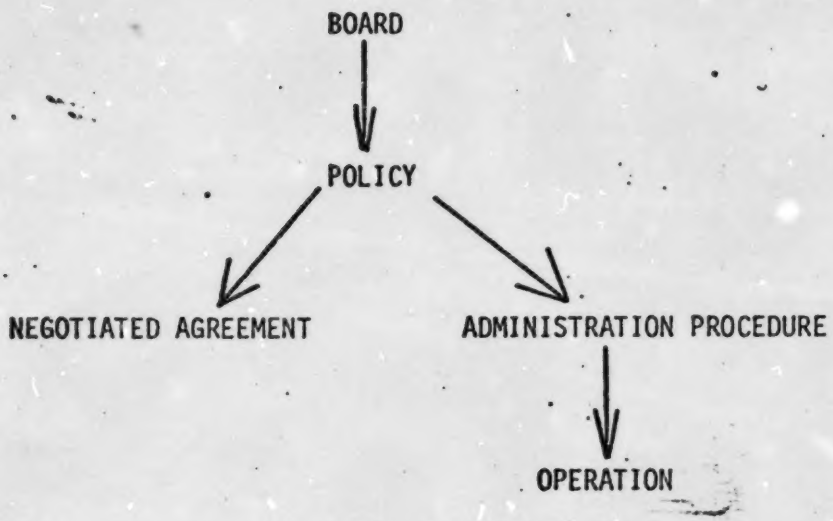
INTRODUCTION

The first reality is that bargaining requires sophistication and skill. Regardless of the size of the school district or organization, collective bargaining is not something that one can confront at the table with just the best interest of the district at heart. Rather, one must confront bargaining with the complete understanding of what it's all about.

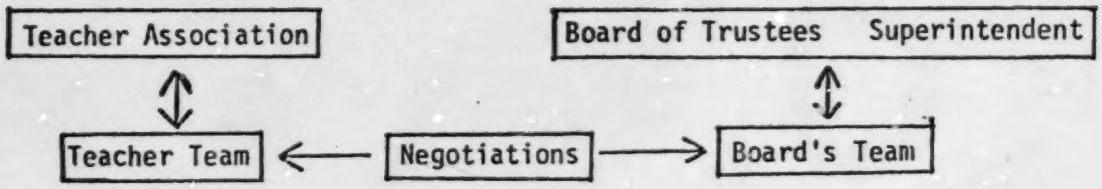
The district organization for negotiations controls to a degree the preparation necessary for the Board of Trustees and the Administrative Staff. As Cartwright District organization is based on a five (5) member team, one negotiator and four (4) principals, my approach will be planned on staff preparation for negotiations under this organization.

TABLE OF PROCEDURE IN ESTABLISHMENT OF AGREEMENT



1. Board policy gives direction to the function of the district.
2. Negotiations agreements must be within the boundaries established by the Board and Superintendent.
3. Negotiable agreements and Administrative procedures related to the agreements are a cooperative effort.
4. The operational procedures shall be established on the basis of ratified negotiated agreements.

TABLE OF ORGANIZATION FOR NEGOTIATIONS
BY ADMINISTRATION



RESPONSIBILITY OF BOARD

1. Decision making
2. Ratifies and signs all agreements
   (a) All agreements in writing

RESPONSIBILITY OF SUPERINTENDENT

1. Advisory to the Board

RESPONSIBILITY OF DISTRICT NEGOTIATOR

1. Spokesman for the Board of Trustees

RESPONSIBILITY OF ASSISTANT SUPERINTENDENTS

1. Curriculum
   (a) Advisory to Administrative team
2. Personnel
   (a) Advisory to Administrative team
3. Finance
   (a) Advisory to Administrative team

RESPONSIBILITIES OF PRINCIPALS AND CONSULTANTS

1. Principals
   (a) Advisor on working relationships to district negotiator
2. Consultants
   (a) Advisory on curriculum effected by negotiations

THE BOARD ACCEPTS THE FOLLOWING PREMISES:

1. The district negotiator is the only spokesman for the Board and Administration at all times on matters under negotiation.
2. Negotiations shall be based on legality only. (What the law is, not what it might be.)
3. All agreements must be in writing with the right and responsibility for ratification.

THE CHAIN OF COMMAND

There must be established a clear definite procedure with faithful adherence to prescribed channels.

THE BOARD OF TRUSTEES

A. Establish Board Policy

1. Develop district goals and procedures.
2. Select district negotiator.

B. Understanding Purpose of Teachers' Unions

1. In bargaining
2. In contract management
3. In human relations

C. Board Members as Individuals

1. Expect pressures from the Teachers' Union
2. Don't be couped or used by the Union to accomplish its goals.
3. Develop understanding of the process

   (a) Unanimous on position with negotiator
   (b) Protect confidentiality of strategy
   (c) Don't be a mediator
   (d) Don't go it alone

CHAIN OF COMMAND:

There are many factors, which are obvious, why this approach affords greater efficiency. The main factor being a safe degree of continuity in crucial areas where the management team must prevail if it is going to fulfill its objective to the community. The basis of this chain is the teaching staff and, at the same level, the nonprofessional staff, which are answerable directly to the principal or the immediate supervisor.

There shall be no way to contact any level above, prior to contact with the immediate supervisor.

If the principal reports to the central administrative staff, consisting of assistant superintendents and subordinate administrators assigned specific areas of responsibility; then the Superintendent must represent the office through which Board and public participate.

The Board of Trustees is the head of the management team and accepts their responsibility to the Superintendent and the team's professional administrators, as well as a mandate from the Community; recognizing the delicate balance of their position when they are placed as servants of the public and judges of administrative procedures.

When subordinate administrators possess no direct line in relationship with the Board, and the teachers have none; the Board would not respond directly to teacher complaints, recognizing the proper action is interaction. The Superintendent is the channel for the Board to subordinate administrators. The teachers' procedure for interaction is the Grievance Procedure.

BOARD POLICY

The Board establishes the organizational pattern that will be used for the negotiations process. The choice of who shall be the spokesman: the outside professional negotiator, the Board itself, the Superintendent or indistrict personnel. The team approach or the individual. This decision must be unanimous with Board support and backing.

SELECTING THE NEGOTIATOR

When the Board selects a spokesman from within the administrative staff, whether or not the individual has any experience or background in negotiations, the opportunity must be extended so he may attend seminars and workshops to keep abreast of the ever-changing procedures in negotiations, laws and practices.

The Spokesman for the Board must have the full backing and confidence of the total Board if he is to be successful at the negotiations table.

THE BOARD'S UNDERSTANDING OF UNIONS

Board members must be prepared to deal with teachers' unions, as collective bargaining has a leveling effect. It is the constant for which teachers organize, "all for one and one for all." That is collective bargaining. All individuals are treated equally, with loss of individual creativity and initiative, which are replaced by the group.

One must recognize that collective bargaining requires skill and sophistication. It is an advisary process which becomes emotional. Unions have to be emotional to get the job done. The goals are to create issues, not find solutions to problems. They will gain more by raising cane with the Board and the negotiations process than by sitting down at the negotiations table and finding solutions to problems.

The "rain dance" is necessary in the power struggle; when, in reality, the only power teachers' unions have to bring to the table is their services (which they will threaten to withhold).

With new Board members, the questions always arise, "Why all the hassle?" "They are our teachers - we love them." They do not recognize that unions revolve around their self-interest to bring about change. Boards must not sit in pre-negotiations sessions and establish perimeters saying, "This is what the teachers are going to get and no more." "We are cutting the budget." "We need new textbooks so it is coming out of teachers' salaries." One must recognize, if you are going to bring negotiations to a successful conclusion, you must give something. How little or what will depend to a great degree on the skill of the negotiator.

When negotiations are not brought to a successful conclusion, we hear the phrases, "How could they do this to us." "We have been fair."

"We have bent over backwards." "We have always talked to our teachers." "We allow input." Board members and administrators should not blame themselves in total when this happens. Just read the propaganda and literature that unions have passed out by the bushel. The communications ability of the union far exceeds that of administration.

Let's don't forget the releases they have had. All teachers have expressed that they have the best interests of the students at heart. "We love them all." "It is for the good of the students." The unequivocal statement can be made that they are flying under false colors.

Then there is always the Board member who thinks he can do more for the teachers than the union can by being willing to compromise any issue at the table: salaries, security, fringe benefits, class size and everything else. Then comes the day of reckoning with nothing left to give and the teachers have other best interests. When unions interest is self-interest, this is the total structure of their being. The problem is, where do you go from there?

SUPERINTENDENT

Be sure the Superintendent is on your side. Report to the Board through the Superintendent.

1. Advisory
2. Strategy
3. Union demands
4. Proposals and counterproposals
5. Agreements reached
6. Problem areas
7. Consensus

The Superintendent shall be present at all Board study sessions.

THE SUPERINTENDENT

He is the one person who should be informed at all times on negotiations and its process.

The Superintendent is the direct agent of the Board, who supplies the Board with facts, statistics and other data; and participates actively in the development of Board policies. He will be placed as fact finder and mediator in developing ways of establishing perimeters in the case of stalemate or impass.

By his position, he is a member of the management team. If the relationship is good between the Superintendent and the negotiator (indistrict), when one gets down to the nit and grit of the negotiations, they will find the Superintendent their staunchest ally.

District negotiators need friends!

ASSISTANT SUPERINTENDENTS

Sits at the Negotiations Table when his areas of responsibility are on the negotiations agenda. (Advisory)

1. Communicates with the negotiator at all times.
2. Self-enlightment - attends negotiations seminars and workshops.

ASSISTANT SUPERINTENDENTS

Where areas of responsibility are assigned to Assistant Superintendents in curriculum, personnel and finance, they will be effected by the end result of the negotiations agreement and should be involved in the decision making, with an understanding of the negotiations process - the effects of proposals and counter-proposals - why the negotiating team agrees to this item and not that.

A recommended approach for this group of administrators would be that they act as advisors to the negotiations team when items on the agenda effect their function. It will aid in understanding of the whys and the whatfors.

They should also be given the opportunity to attend seminars and workshops at the national level. Only by understanding the negotiations process will they understand the results.

PRINCIPALS

1. Front line management.
2. Involvement in decision making.
3. Know the contract agreement.
4. Follow procedures.
5. Enforcement of the negotiated agreement.
6. Understanding Union tactics.
   a. Grievance Procedure

PRINCIPALS

The principals on the negotiations team (principals are rotated on a two-year basis) who sit at the negotiations table, are responsible for making recommendations to the district negotiator on the results of proposals, counter-proposals and teachers' requests pertaining to methods and procedures.

The principals' roles (not only those who sit at the table, but all principals) have responsibility in the successful outcome of the negotiations agreement. It should be recognized that the enforcement of the agreement rests primarily upon the principals' shoulders. They are the front line proponents of management's point of view, and the protector of management's rights on the rough stage of the day to day practice of supervising those under their jurisdiction.

They must understand the negotiated agreement, grievance procedure, and language and its intent. Their role extends to reporting problems in administration of the present contract with recommendations for revisions.

Our approach has been to have study sessions on changes made in the previous year's agreement and, in the early stages of negotiations, to give principals an opportunity to make recommendations on additional changes and deletions in the present agreement; and on the union's proposals effecting next year's agreement.

PRINCIPALS CON'T

Here again, I am a strong proponent for principals to be given opportunities to attend seminars. I have had minor success in this area, but not to the degree I had hoped to accomplish.

The total sum, to bring about understanding for those on the administrative staff, must begin with continuous communications with the Board, the Superintendent, assistant superintendents and principals.

Channels must be open at all times.